

**REMARKS**

Claims 10-21, 23-30, 37-42, 45, and 53-64 are pending in the present application. Claims 10, 23 and 59 are independent. Claim 40 is amended. Claims 59-64 are newly-added. Although Applicants believe that they are patentable, claims 1-9, 32-36, and 47-52 have been cancelled without prejudice in the interest of expediting prosecution of the other claims. In view of the above amendments, the amendments and remarks presented in the July 10, 2008 Amendment, and following remarks, favorable reconsideration and allowance of the present application is respectfully requested.

By the present Amendment, claims 59-64 are newly-added. Applicants submit that support for claims 59-64 may be found, at least, on pages 68-70, 77-78, 89, 91, and 94-96 of the Specification. Accordingly, Applicants submit that the claims do not introduce new matter.

Independent claim 59 relates to a method for producing a drug containing composite particle including a two-step method including a primary particle formation step using at least one nano particle and a combining step in which the primary particles are reversibly collected. Applicants submit that the art cited in the March 10, 2008 Office Action fails to teach, or suggest, the features recited in independent claim 59.

Claim 59 recites “a primary particle formation step of forming a primary particle comprising a nano particle clump containing the nano particle” and “a combining step of combining a first primary particle and a second primary particle with each other so that the first and second primary

particles are reversibly collected.” As discussed in the July 10, 2008 Amendment, the art of record fails to teach or suggest a two-step method including a primary particle formation step using nano particles and a combining step in which the primary particles are reversibly collected. See, *e.g.*, July 10, 2008 Amendment at pages 18-33.

Applicants therefore respectfully request allowance of newly-added claim 59 as well as newly-added claims 60-64, which depend from claim 59.

### **CONCLUSION**

Accordingly, in view of the above, reconsideration of the rejections and allowance of each of claims 10-21, 23-30, 37-42, 45, and 53-64 in connection with the present application is earnestly solicited.

Should there be any matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number below.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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